



3-9-06

11W  
RCE

Docket: 14656

THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Leonard S. Schultz	
Appln. No.:	10/612,862	
Filing Date:	July 3, 2003	Examiner: Jason M. Greene
Title:	SMOKE EVACUATION SYSTEM	Group Art Unit: 1724

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
UNDER 37 CFR § 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Express Mailing Number: EV 688440615 US  
Date of Deposit: March 8, 2006

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim Anderson  
(Name) Kim Anderson  
(Signature)

Sir:

Applicant requests continued examination, under 37 C.F.R. 1.114, of the above-identified application.

**Submission Required Under 37 C.F.R. 1.114**

- a. ☐ Previously submitted. If a Final Office Action is outstanding, any amendments filed after the Final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Amendment previously filed on \_\_\_\_\_. A courtesy copy is enclosed.
- ii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

FEES

The RCE Fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 04-1420.
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e).
- ii. ☐ Extension of Time Fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Check in the amount of \$395.00 enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP

Customer Number 25763

Date: \_\_\_\_\_

March 8, 2006

By: \_\_\_\_\_



David E. Bruhn, Reg. No. 36,762  
(612) 340-6317

Effective on 12/08/04



# **FEE TRANSMITTAL SHEET (FY 2005)**

**Complete if Known**

Application No.	10/612,862
Filing Date	July 3, 2003
First Inventor	Leonard S. Schultz
Group Art Unit	1724
Examiner Name	Jason M. Greene
Atty. Docket Number	14656

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)
**METHOD OF PAYMENT (Check One)**
☒ Check      ☐ Credit Card      ☐ Money Order

☒ Deposit Account No.: **04-1420**
Deposit Account Name: **DORSEY & WHITNEY LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17

☐ Credit any overpayments

☐ Other (please identify):
**Extra Claim Fees**

Current Claims	Prior	Extra	Fee	Fee Paid
Total	- 20	=	x \$	= \$
Ind.	- 3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$
<b>Total (Extra Claims)</b>				<b>\$</b>

**Petition Fee Under 37 CFR 1.17(f), (g), & (h)**

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**

§ 1.53(e) to accord a filing date.  
 § 1.57(a) to accord a filing date.  
 § 1.182 for decision on a question not provided for.  
 § 1.183 to suspend the rules.  
 § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.  
 § 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**

§ 1.12 for access to an assignment record.  
 § 1.14 for access to an application.  
 § 1.47 for filing by other than all inventors or person not the inventor.  
 § 1.59 for expungement of information.  
 § 1.103(a) to suspend action in an application.  
 § 1.136(b) for review of a request for ext. of time when §1.136(a) not avail.  
 § 1.295 for review of refusal to publish a statutory invention registration.  
 § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.  
 § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.  
 § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.  
 § 5.12 for expedited handling of foreign filing license.  
 § 5.15 for changing the scope of a license.  
 § 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**

§ 1.19(g) to request documents in a form other than provided in this part.  
 § 1.84 for accepting color drawings or photographs.  
 § 1.91 for entry of a model or exhibit.  
 § 1.102(d) to make an application special.  
 § 1.138(c) to expressly abandon an application to avoid publication.  
 § 1.313 to withdraw an application from issue.  
 § 1.314 to defer issuance of a patent.

**FEE CALCULATION (Continued)****3. ADDITIONAL FEES**

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
1,400	700	Utility & Reissue Issue Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	\$395.00
300		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE (specify)

**Subtotal (Additional Fees) \$395.00****Total Amount of Payment: \$395.00**

Submitted by:

CUSTOMER NUMBER <b>25763</b>	DORSEY & WHITNEY LLP
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Name: **David E. Bruhn**Phone No.: **(612) 340-6317**Fax No.: **(612) 340-8856**

Signature:

Reg. No.: **36,762**Date: **March 8, 2006**